

PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978

333.2824 Registering name of husband as father of child; registering surname of child; consent; acknowledgment of parentage; designating surname of child; entering name of father and surname of child on birth certificate; father not named on birth registration; utilization of assisted reproductive technology; reference to legitimacy or illegitimacy prohibited.

Sec. 2824. (1) The name of the husband at the time of conception or, if none, the husband at birth shall be registered as the father of the child. The surname of the child shall be registered as designated by the child's parents.

(2) If the child's mother was not married at the time of conception or birth, the name of the father shall not be entered on the certificate of birth without the written consent of the mother and without the completion, and filing with the state registrar, of an acknowledgment of parentage by the mother and the individual to be named as the father. The acknowledgment of parentage shall be completed in the manner provided in the acknowledgment of parentage act. For a certificate of birth completed under this subsection and upon the written request of both parents, the surname of the child shall be designated by the child's parents.

(3) If the name of the child's father cannot be shown under subsection (1) or (2), the child shall be given the surname designated by the mother.

(4) If the paternity of a child is determined by a court of competent jurisdiction, the name of the father shall be entered on the certificate of birth as found and ordered by the court. The surname of the child shall be entered on the certificate of birth as designated by the child's mother.

(5) If the child's father is not named on the birth registration, no other information about the father shall be entered on the registration.

(6) A child conceived by a married woman with consent of her husband following the utilization of assisted reproductive technology is considered to be the legitimate child of the husband and wife.

(7) After May 30, 1979, a birth certificate shall not contain a reference to the legitimacy or illegitimacy of a child.

History: 1978, Act 368, Eff. Sept. 30, 1978;—Am. 1979, Act 23, Imd. Eff. May 30, 1979;—Am. 1993, Act 115, Imd. Eff. July 20, 1993;—Am. 1996, Act 307, Eff. June 1, 1997.

Popular name: Act 368